IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT PETITION No. 20105 of 2002

Between:

Mr.Konidela Ramaiah S/o.Bangaraiah
r/o.Prashaninagar,opp:TB Hospital Compound Nellore Town Nellore District.
(Paper clipping of news item published in Vartha Telugu daily of Nellore Edition)

..... PETITIONER

AND

1. The Secretary to Government of A.P., Home Department
Secretariat, Hyderabad.
2. The District Collector and Magistrate,
Nellore District, Nellore.
3. The Superintendent of Police,

Nellore District, Nellore.
4. The Sub-Divisional Police Officer
Nellore Town, Nellore District.
5. The Station House Officer
IV Town P.S Prashannagar
Nellore, Nellore District.
6.Jakka Gopal Reddy
R/o. Prashantnagar Nellore.
Nellore District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the news item published in Vartha and Eenadu Telugu Newspaper of Nellore Edition the High Court may be pleased to issue an order,

direction, or a writ, more particularly, one in the nature of Writ of Mandamus calling for the remarks and records from the respondents herein in and connected to the incidence happened on 24-7-2002 at about 12-30 PM attacking to petitioners house by Mr.Jakka Gopal Reddy and the mafia led by him possessing crowbars knives, sickles have perpetrated the Commission of offence with the assistance of thirty police personnel abusing him in filthy language as 'ORAY MADIGA NAKODAKA, INTULO NUNCHI BAITAKU RAKA POTHEY, KEROSINE POOSI TAGULA BEDTHA' threatened him connivance with the mafia, damaging the doors and throwing his household articles on the road causing loss to a tune of Rs.50,000 forcibly resorted to arson, vandalism, cacophony, imperialism, mass destruction and reign it terror against the petitioner other helpless dalit families of Prashanthnagar, abutting T.B.Hospital compound, Nellore Town, Nellore District and to pass appropriate orders directing the concerned authorities to take action against Sri Jakka Gopal Reddy, 6th respondent herein, and other police personnel and others who are responsible for the said incident under the provision of SC ST (Prevention of Atrocities) Act, 1989 and provide necessary protection to the petitioner Sri Konidela Ramaiah and the victimized families in the interests of Justice.

Counsel for the Petitioner: PETITION

Counsel for the Respondent Nos. 1 to 5: GP FOR HOME

Counsel for Respondent No.6: Mr.P.Gangarami Reddy.

The Court made the following :

ORAL ORDER:

(per Honourable Sri Devinder Gupta, the Chief Justice)

This is a taken-up matter, in which a direction was sought to the respondents to take action against 6th respondent and other police personnel alleged to be responsible for the incident that took place on 24.7.2002, under the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

As per the counter-affidavit filed by the 5th respondent, 6th respondent filed Writ Petition No.23584 of 2001 before this court seeking a direction against the officials not to assign the plot No.37 in CAS 558/P and 559/2P of the writ petitioners in favour of others and a further direction against the land grabbers. It is stated that the petitioner did not submit any complaint in the police station in respect of the alleged

incident on 24.7.2002. However, orders were received from the High Court on 4.10.2002 in the present Writ Petition and pursuant to the same, a case in Crime No.183 of 2002 has been registered and investigation is in progress.

Since crime was registered, no further direction is required to be issued in this Writ Petition, except, the direction that in case report has not so far been filed on conclusion of investigation, the same will be filed in the appropriate court in accordance with law. The Writ Petition is, therefore, closed.

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DEVINDER GUPTA, C.J.

7.2.2005.

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M.NARAYANA REDDY, J.

VR.

To

1. The Secretary to Government of A.P., Home Department
Secretariat, Hyderabad.
2. The District Collector and Magistrate,
Nellore District, Nellore.
3. The Superintendent of Police,

Nellore District, Nellore.
4. The Sub-Divisional Police Officer
Nellore Town, Nellore District.
5. The Station House Officer
IV Town P.S Prashannagar
Nellore, Nellore District.
6. Two CCs to Government Pleader for Home, High Court Buildings, Hyderabad (OUT).

7. Two CD copies.